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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/652,495

09/02/2003

Masayuki Kumakura

116882

2708

25944

7590

03/01/2006

OLIFF & BERRIDGE, PLC

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ALEXANDRIA, VA 22320

EXAMINER

PAREKH, NITIN

ART UNIT

PAPER NUMBER

2811

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/652,495		KUMAKURA, MASAYUKI	
	Examiner		Art Unit	
	Nitin Parekh		2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>02-15-06</u> |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art (APA) in view of Matsuura et al. (US Pat. 2001/0015484).

Regarding claims 10-12, APA discloses a hard disk device comprising an insulating sheet (110 and 113 respectively in Fig. 5), the insulating sheet further comprising:

- an insulating resin film (123 in Fig. 5) having insulating attributes formed from polyethylene terephthalate/PET (see prior art: comparative example 2 in Table 2, page 8)
- an adhesive layer (122 in Fig. 5), the adhesive layer being exposed at an edge of the insulating sheet (see Fig. 5)
- a buffer layer (121 in Fig. 5) having buffering attributes, the buffer layer being formed of an urethane foam (see prior art: comparative example 2 in Table 2, page 8), wherein the buffer layer and the resin film are attached to surfaces of the adhesive layer

(Fig. 5 and 6; specification pp. 1, 2, 8 and 9; Table 2).

The APA fails to teach the adhesive layer being formed of polyester resin and having adhesiveness exhibiting temperature being higher than normal ambient temperature.

Matsuura et al. teach using a variety of polyester/polyether based heat resistant adhesive/resin compositions including those having such resin as a main component or a mixture of components without a silicon component (section 0026; 0192; Col. 2-13) to provide improved adhesion/bonding between a variety of substrates/layers (sections 0229 and 0230) where the adhesion/bonding is performed under compression and heat treatment and the temperature of the heat treatment is higher than normal ambient temperature. Such adhesive layer has adhesiveness exhibiting temperature being higher than normal ambient temperature (see sections 0206-0212).

It would have been obvious to a person of ordinary skill in the art at the time invention was made to incorporate the adhesive layer having adhesiveness exhibiting temperature being higher than normal ambient temperature as taught by Matsuura et al. so that the adhesion/bonding, crack resistance and reliability can be improved and moisture absorption can be reduced in the APA's device.

Response to Arguments

3. Applicant's arguments filed on 02-09-06 have been fully considered but they are not persuasive.

A. Applicant contends that Matsuura et al. does not teach or suggest an resin film having insulating attributes and a buffer layer.

However, as explained above, the APA discloses the insulating resin film (123 in Fig. 5) being formed from polyethylene terephthalate/PET (see prior art: comparative example 2 in Table 2, page 8) and the buffer layer (121 in Fig. 5) being formed of an urethane foam (see prior art: comparative example 2 in Table 2, page 8). Matsuura et al. is applied to the APA to provide the adhesive having the desired properties as claimed.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2811

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Parekh whose telephone number is 571-272-1663. The examiner can normally be reached on 09:00AM-05:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAN or Public PAG. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAG system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

NP

02-21-06



NITIN PAREKH

PRIMARY EXAMINER

TECHNOLOGY CENTER 2800